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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

Denbury Green Pipeline-Montana, LLC

Plaintiff,

Cause No.

vs.

Easements and Rights of Way Across

Township 7 South, Range 56 East
Section 21: NW4SW4, S2NW4, NE4NW4,
NW4NE4
Carter, County, Montana

**CONDEMNATION
NOTICE**

Township 8 South, Range 56 East
Section 15: NW4NW4
Carter County, Montana

Township 8 South, Range 56 East
Section 10: W2SW4, NE4SW4, E2NW4,
NW4NE4
Carter County, Montana

The Cook Ranch Trust, Lawrence
Giacommetto, Robert Giacommetto

and Unknown Owners,

Defendants.

NOTICE IS HEREBY GIVEN to Defendants The Cook Ranch Trust, Lawrence Giacommetto, Robert Giacommetto and Ronald D. Talcott and Deborah Talcott, pursuant to Rule 71.1(d) Fed.R.Civ.P., that the above-captioned matter has been filed in the U.S. District Court for the District of Montana, Billings Division. You are hereby notified:

1. Denbury Green Pipeline-Montana, LLC, has filed a condemnation action in the United States District Court for the District of Montana, Billings Division, United States Courthouse, 2601 2nd Ave N, Billings, MT 59101.
2. The condemnation complaint seeks to take permanent easements and rights-of-way for the CCA Lateral pipeline Project by the exercise of the right of eminent domain, and to determine the just compensation to be paid to the Defendants, under Mont. Code Ann. § 70-30-101 *et. seq.* and Rule 71.1 Fed.R.Civ.P.
3. The CCA Lateral pipeline Project is designed to transport carbon dioxide generated by sources in Wyoming to oil wells in existing oil fields in the Ceder Creek Anticline for the purposes of enhanced oil recovery.
4. The interests to be taken include permanent easements and rights-of-way fifty feet wide, on, under, and through the captioned lands, to survey, construct, lay, maintain, operate, inspect, repair, replace, protect, alter, remove or abandon in place, the CCA Lateral pipeline, and all appurtenances and equipment, including, but not limited to, cathodic protection equipment and all other

equipment used or useful in the operation of the CCA Lateral pipeline for the transportation of carbon dioxide, together with the right to utilize, during original construction of the pipeline, appurtenances and equipment, “Temporary Work Space,” and if applicable, “Additional Temporary Work Space,” as shown in the drawings attached as Exhibits A-1 through A-2. The specific rights sought herein are further set forth in Exhibit C-1 through C-2, which are the forms of the requested Easement and Right-of-Way Agreements to be obtained from each defendant.

5. In addition, Denbury Green Pipeline-Montana, LLC seeks an Access Road Easement from HWY 212 North and South for a 20 foot wide road approximately 317 feet long with an area of approximately 0.15 acres for the movement of equipment, vehicles, supplies and any other purpose associated with the construction and operation of the CCA Lateral pipeline. A copy of the Access Road Easement and a map showing the location of the road is attached as Exhibit D.

6. The lands to be encumbered or burdened by the subject easements and rights-of-way (“subject lands”) are located in Fallon County and Carter County, Montana. The property subject to the condemnation proceeding is described as:

Easements and Rights of Way Across

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Township 8 South, Range 56 East
Section 10: W2SW4, NE4SW4, E2NW4, NW4NE4
Carter County, Montana

The location of the easements and rights of way are described and shown in the drawings attached as Exhibit A-1 through A-2, which are incorporated by reference.

7. The authority for taking the necessary easements and rights-of-way for the CCA Lateral pipeline Project is Mont. Code Ann. §70-30-102(20) and Mont. Code Ann. § 69-13-104 as a common carrier pipeline.

8. If you want to object or present any defense to the taking you must serve an answer on the plaintiff's attorney within 21 days after being served with this notice. Send your answer to plaintiff's attorney at this address: Jon T. Dyre, Crowley Fleck PLLP, P. O. Box 2529, Billings, Montana 59103-2529. A copy of your answer must also be filed with the United States District Court for the District of Montana, Billings Division, United States Courthouse, 2601 2nd Ave N, Billings, MT 59101.

9. Your answer must identify the property in which you claim an interest, state the nature and extent of that interest, and state all your objections and defenses to the taking. Objections and defenses not presented are waived.

10. If you fail to answer, you consent to the taking and to the Court's authority to proceed with the action and fix the compensation to be paid to you. The court will enter a judgment that takes your described property interest.

11. Instead of answering, you may serve on the plaintiff's attorney a notice of appearance that designates the property in which you claim an interest. After you do that, you will receive a notice of any proceedings that affect you. Whether or not you have previously appeared or answered, you may present evidence at a trial to determine compensation for the property and share in the overall award.

12. The contact information of the Plaintiff's attorney is as follows:

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Dated July 10th, 2018.

By: /s/ Jon T. Dyre

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